

**ZB# 85-14**

**William Helmer**

**4-3-2.222**

85-14- Helmer, Wm. / Orange Development Corp. - Use Variance

Prelim. meeting:

3/4/85.

Public Hearing:

3/25/85.

CA: Foreign Trade Zone

The Sentinal

3/13/85 delivered by Art Andersen.

OCPD to be

notified by Applicant.

Use Variance

Granted on 3/25/85

# General Receipt

6322

TOWN OF NEW WINDSOR

555 Union Avenue  
New Windsor, N. Y. 12550

March 19, 19 85

Received of Orange Development Corp. (Wm. F. Steiner) \$ 50.00

Fifty and 00/100 DOLLARS

For Application Fee under file #85-14 before ZBA

DISTRIBUTION:

FUND	CODE	AMOUNT
Check #1037		\$50.00

By Pauline B. Townsend

Town Clerk

Title

Williamson Law Book Co., Rochester, N. Y. 14609

ZONING BOARD OF APPEALS : TOWN OF NEW WINDSOR

-----x  
In the Matter of the Application of

WILLIAM F. HELMER/ORANGE DEVELOPMENT CORP.

DECISION GRANTING  
USE VARIANCE

# 85-14 .  
-----x

WHEREAS, WM. F. HELMER (OWNER) of 27 Central Drive, Stony Point, N. Y. and ~~ORANGE DEVELOPMENT CORP.~~, a domestic corporation having an office at 154 Route 17K, Newburgh, have made application before the

Zoning Board of Appeals for a use variance for the purposes of:

construction of a health club/restaurant facility on Executive Drive  
(PI zone), Town of New Windsor, N. Y.,  
and

WHEREAS, a public hearing was held on the 25th day of  
March, 1985 at the Town Hall, 555 Union Avenue, New Windsor, New York; and

WHEREAS, applicant appeared by his consulting engineer,  
Arthur Anthonisen,; and

WHEREAS, the application was unopposed; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings of fact in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.

2. The evidence shows: that despite intensive marketing efforts, the industrial park where applicant intends to locate the facility has remained basically underdeveloped since its purchase in 1977.

3. The evidence shows: that both the structure and site are designed to be asthetically pleasing to accommodate normal and emergency traffic and to encourage future development of area.

4. The evidence shows: that since the facility will be located in an industrial park and off the main highway, there will be a great reduction in hazardous traffic along Route 207

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings of law in this matter:

1. The evidence indicates that the aforesaid circumstances or conditions are such that the strict application of the provisions of the local law would deprive the applicant of the reasonable use of such land or building.

2. The evidence indicates that the plight of the applicant is due to unique circumstances and not to general conditions suffered by other persons within the same zone.

3. The evidence shows that the application as presented does not alter the essential character of the neighborhood.

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor grants a use variance as applied for and in connection with plans presented at the public hearing under date of March 1985.

BE IT FURTHER,

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and the applicant.

Dated: April 8, 1985.

\_\_\_\_\_  
Chairman

cc: Applicant HELMER  
" ORANGE DEVELOPMENT CORP.

Pat.

**PUBLIC NOTICE OF HEARING  
BEFORE  
ZONING BOARD OF APPEALS  
TOWN OF NEW WINDSOR**  
PLEASE TAKE NOTICE that  
the Zoning Board of Appeals of  
the TOWN OF NEW WINDSOR,  
New York will hold a Public Hear-  
ing pursuant to Section 48-34A of  
the Zoning Ordinance on the fol-  
lowing proposition:  
Appeal No. 14  
Request of William F. Helmer  
for a VARIANCE of the reg-  
ulations of the Zoning Ordi-  
nance to permit construction of  
a health club facility with a res-  
taurant in a Planned Industrial  
zone being a VARIANCE of  
Section 48-9, Table of Use Reg-  
ulations, Col. 1 for property  
situated as follows:  
off south side of route 207 on  
Executive Drive, Town of New  
Windsor, New York, known as  
tax map section 4, Block 3 Lot  
2-222.  
SAID HEARING will take place  
on the 25th day of March, 1985, at  
the New Windsor Town Hall, 555  
Union Avenue, New Windsor,  
N.Y. beginning at 7:30 o'clock  
P.M.  
**DANIEL P. KONKOL**  
Chairman

State of New York  
County of Orange, ss:

Everett W. Smith, being duly sworn

disposes and says that he is  
Publisher of the E.W. Smith  
Publishing Company, Inc. publisher  
of The Sentinel, a weekly newspaper  
published and of general circulation  
in the Town of New Windsor, and that  
the notice of which the annexed is  
a true copy was published ONCE

in said newspaper, commencing on  
the 14<sup>th</sup> day of MARCH A.D., 1985  
and ending on the 14<sup>th</sup> day of MARCH  
A.D. 1985

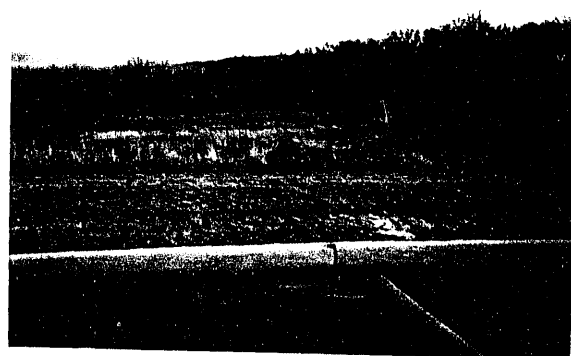
Subscribed and shown to before me  
this 31st day of May, 1985

Patricia Delio  
Notary Public of the State of New York  
County of Orange.

My commission expires 3/30/87

PATRICIA DELIO  
NOTARY PUBLIC, State of New York  
No. 5970776  
Qualified in Orange County  
Commission Expires March 30, 1987.

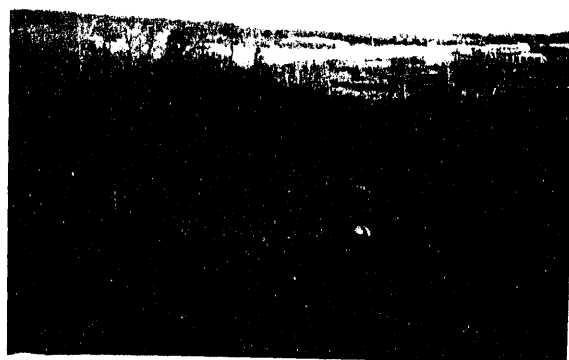
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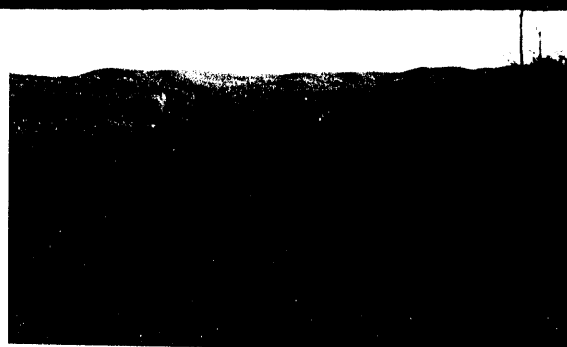
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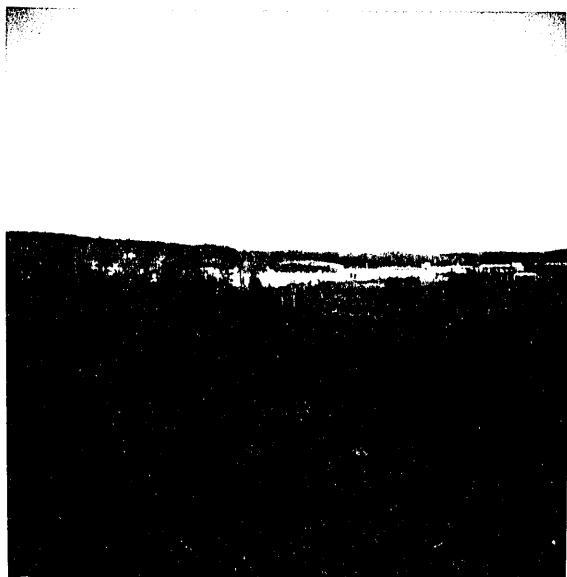
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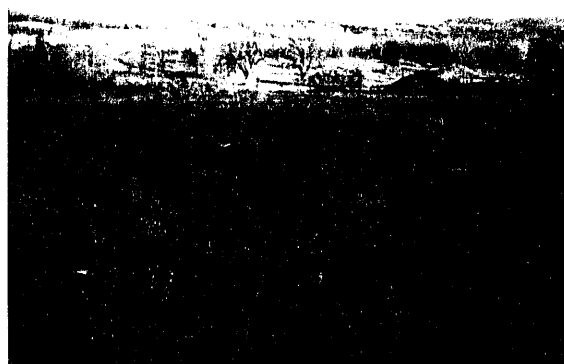
#4



#5



#6



# 84-14.



TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

# 85-14

Date: 12 MARCH 1985

I. Applicant Information:

- (a) WILLIAM HELMER 27 CENTRAL DRIVE STONY POINT, NEW YORK 10980  
(Name, address and phone of Applicant) (Owner)
- (b) NEW WINDSOR HEALTH CLUB 154 ROUTE 17K NEWBURGH, N.Y. 12550  
(Name, address and phone of purchaser or lessee)
- (c) KENNETH JOHNSON 176 MAIN STREET GOSHEN, NEW YORK 10924  
(Name, address and phone of attorney)
- (d) N/A  
(Name, address and phone of broker)

II. Application type:

- ☒ Use Variance ☐ Sign Variance
- ☐ Area Variance ☐ Special Permit

III. Property Information:

- (a) P1 GATEWAY INDUSTRIAL PARK 4-3-2.222 2.67 acres  
(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.? NONE
- (c) Is a pending sale or lease subject to ZBA approval of this application? YES
- (d) When was property purchased by present owner? 31 MARCH 1977
- (e) Has property been subdivided previously? YES When? 26 APRIL 1982
- (f) Has property been subject of variance or special permit previously? NO When? \_\_\_\_\_
- (g) Has an Order to Remedy Violation been issued against the property by the Zoning Inspector? NO
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail: NONE

IV. Use Variance:

- (a) Use Variance requested from New Windsor Zoning Local Law, Section 48-9, Table of USE Reqs. Col. A to allow:  
(Describe proposal) HEALTH CLUB FACILITY

- (b) The legal standard for a "Use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

GATEWAY INDUSTRIAL PARK HAS REMAINED BASICALLY UNDER-DEVELOPED SINCE ITS PURCHASE IN 1977. DESPITE EXTENSIVE MARKETING EFFORTS THIS HAS CREATED A FINANCIAL HARDSHIP FOR THE OWNER. THE PROPOSED PROJECT WOULD PROMOTE PARK DEVELOPMENT AND THE HIGHEST AND BEST USE WITHIN CURRENT ZONING.

V. Area variance:

- (a) Area variance requested from New Windsor Zoning Local Law, Section \_\_\_\_\_, Table of \_\_\_\_\_ Regs., Col. \_\_\_\_\_.

Requirements	Proposed or Available	Variance Request
Min. Lot Area		
Min. Lot Width		
Reqd. Front Yd.		
Reqd. Side Yd.	/	/
Reqd. Rear Yd.		
Reqd. Street Frontage*		
Max. Bldg. Hgt.		
Min. Floor Area*		
Dev. Coverage*	7/10	7/10
Floor Area Ratio**		

\* Residential Districts only

\*\* Non-residential districts only

- (b) The legal standard for an "AREA" variance is practical difficulty. Describe why you feel practical difficulty will result unless the area variance is granted. Also set forth any efforts you have made to alleviate the difficulty other than this application.

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VI. Sign Variance:

- (a) Variance requested from New Windsor Zoning Local Law, Section \_\_\_\_\_, Table of \_\_\_\_\_ Regs., Col. \_\_\_\_\_.

	Requirements	Proposed or Available	Variance Request
Sign 1			
Sign 2			
Sign 3			
Sign 4			
Sign 5			
Total	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.

- (b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversize signs.

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- (c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

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VII. Special Permit:

- (a) Special Permit requested under New Windsor Zoning Local Law, Section \_\_\_\_\_, Table of \_\_\_\_\_ Regs., Col. \_\_\_\_\_.
- (b) Describe in detail the use and structures proposed for the special permit.

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VIII. Additional comments:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

A REVIEW OF THE SITE PLAN OF THE PROPOSED HEALTH CLUB FACILITY REVEALS A PROJECT THAT SHOWS NOT ONLY PROTECTION, BUT ALSO THE PROMOTION OF, THE PUBLIC HEALTH, SAFETY, AND WELFARE. BOTH STRUCTURE AND SITE ARE DESIGNED TO BE AESTHETICALLY PLEASING, TO ACCOMMODATE NORMAL AND EMERGENCY TRAFFIC AND TO ENCOURAGE FUTURE DEVELOPMENT.

IX. Attachments required:

- \_\_\_\_ Copy of letter of referral from Bldg. Coning Inspector
- \_\_\_\_ Copy of tax map showing adjacent properties
- \_\_\_\_ Copy of contract of sale, lease or franchise agreement
- \_\_\_\_ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot
- \_\_\_\_ Copy(ies) of sign(s), with dimensions.
- \_\_\_\_ Check in the amount of \$ \_\_\_\_\_ payable to TOWN OF NEW WINDSOR.
- \_\_\_\_ Photos of existing premises which show all present signs and landscaping.

X. AFFIDAVIT

Date March 14, 1985

STATE OF NEW YORK )  
COUNTY OF ORANGE ) SS.:

The undersigned Applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his knowledge or to the best of his information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance or permit granted if the conditions or situation presented herein are materially changed.

William F. Helme  
(Applicant)

Sworn to before me this

12 day of March, 1985.

James Freeman

Notary Public, State of New York  
Long Island County  
March 15, 1985

XI. ZBA Action:

(a) Public Hearing date \_\_\_\_\_.

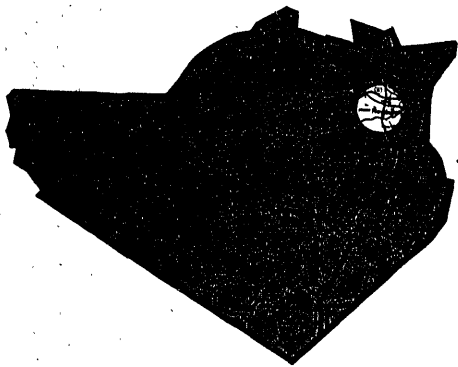
(b) Variance is \_\_\_\_\_.

Special Permit is \_\_\_\_\_.

(c) Conditions and safeguards: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

A FORMAL DECISION WILL FOLLOW  
WHICH WILL BE ADOPTED BY  
RESOLUTION OF ZONING BOARD OF APPEALS.



cc: ZBA  
members.

## FOREIGN TRADE ZONE #37

P.O. Box 6147  
(914) 564-7700

Stewart Airport

Newburgh, N.Y.  
12550

March 25th, 1985

Mr. Daniel P. Konkol, Chairman  
Town of New Windsor  
Zoning Board of Appeals  
555 Union Avenue  
New Windsor, New York 12550

RECEIVED  
ATTORNEY'S OFFICE  
TOWN OF NEW WINDSOR

MAR 28 1985

BY: Patricia Helmer

Dear Mr. Chairman and Board Members:

It has come to my attention that the New Windsor Zoning Board of Appeals (ZBA) has two concerns relative to the development of a health club facility at the GATEWAY INDUSTRIAL PARK of which I am the owner.

You should be aware of the fact that I purchased said property in 1977, and since that time have tried to market it in a variety of ways. We have developed a brochure, listed the park with real estate brokers, conducted mailings, participated in real estate tours, and generally tried to use our extensive network of business contacts. The only development, to date, has been the small ENAP building. Throughout this time, I have continued to pay taxes which have, in the intervening years, cost me in excess of \$100,000.00. Needless to say, this situation hardly constitutes a reasonable return on investment, rather, I feel it constitutes a significant financial hardship.

I would also like to point out that this specific project will bring valuable services to the industrial park and should, subsequently, stimulate overall park development totally consistent with current zoning laws. It is our intent to concentrate on office development, similar to the Epiphany College development proposal.

I would also like to clarify what may be some confusion regarding the park's Foreign Trade Zone designation. This is intended to encourage business, not to restrict development. Further, as founder of the Foreign Trade Development Co. of Orange County, Inc., I know of no way that the designation should adversely affect this project, or conversely, any way that the project will hurt the designation. Be advised that we have neither asked for or received activation from United States Customs.

I urge you to give this project your favorable consideration and express my regrets that schedules preclude my attendance tonight.

Respectfully,

William F. Helmer  
William F. Helmer  
President

WFH/gr

85-14.

3/25/85 Public Hearing: Orange Development/Helmer

Name:

Address:

WAXTEL in accord.

Baltimore Dr.

GEICE in accord.

Eastern Orange Chamber of Comm

Eugene S. Sloan in accord.

519 RTE. 207

James Wright " 525 ROUT-207 —



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK

March 14, 1985

Mr. Art Anthonisen  
Orange Development Corp.  
RD 1, Box 137  
Montgomery, N.Y. 12549

RE: 4-3-2.222

Dear Mr. Anthonisen:

According to my records, the attached list of property owners are within five hundred (500) feet of the above mentioned property.

The charge for this service is \$45.00. Please remit same to the Town Clerk, Town of New Windsor.

Very truly yours,

CHRISTIAN E. JAHRLING IAO  
SOLE ASSESSOR  
Town of New Windsor



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK

25

- |  |  |
|--|--|
| ✓ Mobil Oil Corporation<br>Eastern Reg Property Tax<br>Division<br>PO Box 839<br>Valley Forge Pa 19482 | ✓ Toepert Emma & Max<br>523 Little Britain Road<br>New Windsor NY 12550          |
| ✓ Schaffner Frank & Anna<br>Md 29 Route 207<br>New Windsor NY 12550                                    | Sloan C Kenneth<br>521 Little Britain Rd<br>New Windsor NY 12550                 |
| ✓ Meroshnekoff Mary<br>7 Sniffen Road<br>Westport Conn 06880   | ✓ Sloan Eugene Donald<br>519 Little Britain Rd<br>New Windsor NY 12550           |
| ✓ J & H Smith Light Corp<br>PO Box 1449<br>Newburgh NY 12550   | Sloan Warren Jr<br>347-351 RD2 Temple Hill Rd<br>New Windsor NY 12550            |
| ✓ The City of Newburgh<br>c/o Comptroller<br>Newburgh City Hall<br>Newburgh NY 12550                   | ✓ Monsey Structural Aluminum Inc<br>335 Temple Hill Road<br>New Windsor NY 12550 |
| ✓ State of New York<br>Office of Comptroller<br>Gov A Smith Bldg<br>Albany NY 12203                    | ✓ County of Orange<br>255-275 Main Street<br>Goshen NY 10924                     |
| ✓ Icosquip Inc<br>4 West 58 Street<br>New York NY 10019  | ✓ Yanko Leonard<br>14 Dogwood Hills<br>Newburgh NY 12550                         |
| ✓ Orange County Industrial<br>Development Agency<br>225-275 Main Street<br>Goshen NY 10924             | McDougall Glenn A<br>614 Union Ave<br>New Windsor NY 12550                       |
| ✓ Helmer William F<br>Grey Beech Lane<br>Pomona NY 10970   | ✓ Simpson Harry M & Dorothy<br>Box 941<br>Newburgh NY 12550                      |
| ✓ Wright James J<br>525 Little Britain Road  | ✓ Ramirez Jose<br>618 Union Ave<br>New Windsor NY 12550                          |
|  | ✓ Grismer Eleanore, Ronsini Angela,<br>Richard C & Michael<br>Box 2013           |



# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK



1763

✓ Ronsini Mario & Ruth  
630 Union Ave  
New Windsor NY 12550

✓ Ronsini Nicholas  
42 Carter Street  
Newburgh NY 12550

✓ Ronsini Jessie & Helen  
324 Temple Hill Road  
New Windsor NY 12550

✓ Angeloni Americo & Rose  
326 Temple Hill Road  
New Windsor NY 12550

INTER-OFFICE CORRESPONDENCE

TO: TOWN PLANNING BOARD  
TOWN BUILDING/ZONING OFFICER KENNEDY  
TOWN BOARD MEMBERS

FROM: ZBA SECRETARY

SUBJECT: ACTIONS TAKEN AT ZBA MEETING OF 3/25/85

DATE: March 28, 1985

Please be advised that the following actions were taken and decisions made at the 3/25/85 meeting held before the Zoning Board of Appeals:

RONSONI, NICHOLAS - Request for use variance  
was GRANTED

CUMBERLAND FARMS - Request for construction of  
food market & gasoline sales  
(use and special permit) - DENIED

~~HELMER, WILLIAM F.~~ - Request for construction of health  
club/restaurant - Use Variance -  
GRANTED

MINUTA, ROBERTO - Request for 10.2 ft. frontyard variance  
GRANTED (previous vote deadlocked)

Patricia Delio, Secretary

/pd

cc: Ronsini, Nicholas  
Cumberland Farms (% Elias D. Grevas, L.S.)  
Helmer, William F. (% Arthur Anthonisen P.E.)  
Minuta, Roberto

# This Indenture,

Made the 31st day of March, nineteen hundred and seventy-seven

Between GLADYS SLOAN BRADY, residing at 9074 142nd Street North, City of Largo, Pinellas County, Florida, by RUTH SLOAN HARRIS, her Attorney-in-Fact, under and by virtue of a Power of Attorney dated February 7, 1977, and to be recorded in the Orange County Clerk's Office, and RUTH SLOAN HARRIS, residing at 87 Witch Tree Drive, Town of Woodstock, Ulster County, New York

parties of the first part, and

WILLIAM F. HELMER, residing at (no number) Grey Beech Lane, Village of Pomona, Town of Haverstraw, Rockland County, New York

part y of the second part:

Witnesseth, that the parties of the first part, in consideration of TEN AND 00/100 Dollars, (\$10.00) lawful money of the United States, and other good and valuable consideration paid by the party of the second part, do hereby grant and release unto the party of the second part, his heirs and assigns forever,

all that certain piece or parcel of land lying, situate and being in the Town of New Windsor, Orange County, New York, bounded and described as follows:

BEGINNING at a point in the southwesterly line of the County Highway known as Temple Hill Road, said point also being the northernmost corner of lands now or formerly of Dexion Realty Corp., and running thence, along the remains of a stone wall along the northwesterly line of said Dexion lands, South 30° 08' 00" West 121.51 feet to a point; thence, leaving said Dexion lands, and along lands this day being described in a deed made by the instant grantors and Warren Sloan, Jr. to said William F. Helmer, North 37° 09' 10" West 243.60 feet to a point; thence, still along said lands described in said deed by the instant grantors together with Warren Sloan, Jr., North 37° 49' 10" West 59.64 feet to a point, said point being the southernmost corner of lands now or formerly of Marano; thence, along said Marano lands, North 52° 10' 50" East 125.00 feet to a point in the afore-described southwesterly line of Temple Hill Road; thence, along said roadline, South 37° 49' 10" East 33.03 feet to a point; thence, still along said roadline, South 33° 56' 42" East 225.10 feet to the point or place of beginning.

Containing 0.76 acres of land, more or less.

SUBJECT to a permanent utility easement granted to the Town of New Windsor (Sewer District No. 17, Map 13), bounded and described as follows:

BEGINNING at a point in the southwesterly line of the County Highway known as Temple Hill Road, said point also being North 33° 56' 42" West 208.21 feet from the southeasterly corner of the said first above described lands, and running thence, through said first above described lands, South 57° 40' 50" West 124.43 feet to a point in the southwesterly line of said first above described lands. thence along

Between GLADYS SLOAN BRADY, residing at 9074 142nd Street North, City of Largo, Pinellas County, Florida, by RUTH SLOAN HARRIS, her Attorney-in-Fact, under and by virtue of a Power of Attorney dated February 7, 1977, and to be recorded in the Orange County Clerk's Office, and RUTH SLOAN HARRIS, residing at 87 Witch Tree Drive, Town of Woodstock, Ulster County, New York

parties of the first part, and

WILLIAM F. HELMER, residing at (no number) Grey Beech Lane, Village of Pomona, Town of Haverstraw, Rockland County, New York

part y of the second part:

Witnesseth, that the parties of the first part, in consideration of TEN AND 00/100 (\$10.00) Dollars, lawful money of the United States, and other good and valuable consideration paid by the party of the second part, do hereby grant and release unto the party of the second part, his heirs and assigns forever,

All that certain piece or parcel of land lying, situate and being in the Town of New Windsor, Orange County, New York, bounded and described as follows:

BEGINNING at a point in the southwesterly line of the County Highway known as Temple Hill Road, said point also being the northernmost corner of lands now or formerly of Dexion Realty Corp., and running thence, along the remains of a stone wall along the northwesterly line of said Dexion lands, South 30° 08' 00" West 121.51 feet to a point; thence, leaving said Dexion lands, and along lands this day being described in a deed made by the instant grantors and Warren Sloan, Jr. to said William F. Helmer, North 37° 09' 10" West 243.60 feet to a point; thence, still along said lands described in said deed by the instant grantors together with Warren Sloan, Jr., North 37° 49' 10" West 59.64 feet to a point, said point being the southernmost corner of lands now or formerly of Marano; thence, along said Marano lands, North 52° 10' 50" East 125.00 feet to a point in the afore-described southwesterly line of Temple Hill Road; thence, along said roadline, South 37° 49' 10" East 33.03 feet to a point; thence, still along said roadline, South 33° 56' 42" East 225.10 feet to the point or place of beginning.

Containing 0.76 acres of land, more or less.

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BEGINNING at a point in the southwesterly line of the County Highway known as Temple Hill Road, said point also being North 33° 56' 42" West 208.21 feet from the southeasterly corner of the said first above described lands, and running thence, through said first above described lands, South 57° 40' 50" West 124.43 feet to a point in the southwesterly line of said first above described lands; thence, along said line, North 37° 49' 10" West 38.00 feet to a point, said point being the westernmost corner of said first above described lands and

the southernmost corner of lands now or formerly of Marano; thence, along said Marano lands, North 52° 10' 50" East 10.05 feet to a point; thence, through said first above described lands, South 43° 34' 10" East 19.16 feet to a point; thence, through said first above described lands, North 57° 40' 50" East 113.55 feet to a point in the southwesterly line of Temple Hill Road; thence, along said roadline, South 37° 49' 10" East 3.03 feet to a point; thence, still along said roadline, South 33° 56' 42" East 16.89 feet to the point or place of beginning.

SUBJECT to public utility grants of record.

SUBJECT to the burdens and together with the benefits of those two certain agreements with the Town of New Windsor, insofar as they may affect the aforesaid premises, viz:

A. Agreement dated August 1, 1974 and recorded in the Orange County Clerk's Office on August 9, 1974 in Liber 1986 of Deeds at page 504; and

B. Agreement dated August 9, 1974 and recorded in the Orange County Clerk's Office on September 5, 1974 in Liber 1988 of Deeds at page 648.

Together with the appurtenances and all the estate and rights of the first part in and to the said premises.

To have and to hold the premises herein granted unto the party of the second part, his heirs and assigns forever.

And the said GLADYS SLOAN BRADY and RUTH SLOAN HARRIS covenant that they have not done or suffered anything whereby the said premises have been incumbered in any way whatever, except as hereinbefore set forth.

And The grantors, in compliance with Section 13 of the Lien Law, covenant as follows: That they will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement, and that they will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

In Witness Whereof, the parties of the first part have hereunto set their hands and seal the day and year first above written

In the Presence of:

*Agnes M. Miller*

GLADYS SLOAN BRADY  
BY *Ruth Sloan Harris*  
Ruth Sloan Harris, Attorney-in-Fact

*Ruth Sloan Harris*  
Ruth Sloan Harris

part,

his heirs and assigns forever.

And the said GLADYS SLOAN BRADY and RUTH SLOAN HARRIS covenant that they have not done or suffered anything whereby the said premises have been incumbered in any way whatever, except as hereinbefore set forth.

And The grantors, in compliance with Section 13 of the Lien Law, covenant as follows: That they will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement, and that they will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

In Witness Whereof, the parties of the first part have hereunto set their hands and seals the day and year first above written

In the Presence of:

*Wm. J. Miller*

GLADYS SLOAN BRADY  
BY *Wm. J. Miller*  
Ruth Sloan Harris, Attorney-in-Fact

*Wm. J. Miller*  
Ruth Sloan Harris

State of New York, County of ORANGE

SS.:

On the 31st day of March, nineteen hundred and seventy-seven before me personally came RUTH SLOAN HARRIS

, to me known to be the individual she described in, and who executed, the foregoing instrument, and acknowledged that she executed the same.

*Wm. J. Miller*

GEORGE F. STUBBS, JR.

Solary Public

RESERVE THIS SPACE FOR USE OF RECORDING OFFICE

Deed.

GLADYS SLOAN BRADY, by RUTH  
SLOAN HARRIS, her Attorney-  
in-Fact, and RUTH SLOAN HARRIS

TO

WILLIAM F. HELMER

Dated, March 31 19 77

Schwartz & Carroll  
PO Box 549  
New City, N.Y. 10956

NORTHROP AND STRADAR

NEW YORK, NEW YORK 10017

STATE OF NEW YORK :  
COUNTY OF ORANGE : ss.

LEIN 2063 PAGE 526

On the 31st day of March, 1977, before me came RUTH SLOAN HARRIS to me known to be the Attorney-in-Fact of GLADYS SLOAN BRADY, the individual described in and who by her said Attorney-in-Fact executed the foregoing instrument, and duly acknowledged before me that she executed the same as the act and deed of the said GLADYS SLOAN BRADY therein described, and for the purpose therein mentioned, by virtue of a Power of Attorney duly executed by the said GLADYS SLOAN BRADY, dated February 7, 1977, and to be recorded in the Orange County Clerk's Office.

Notary Public

22.00

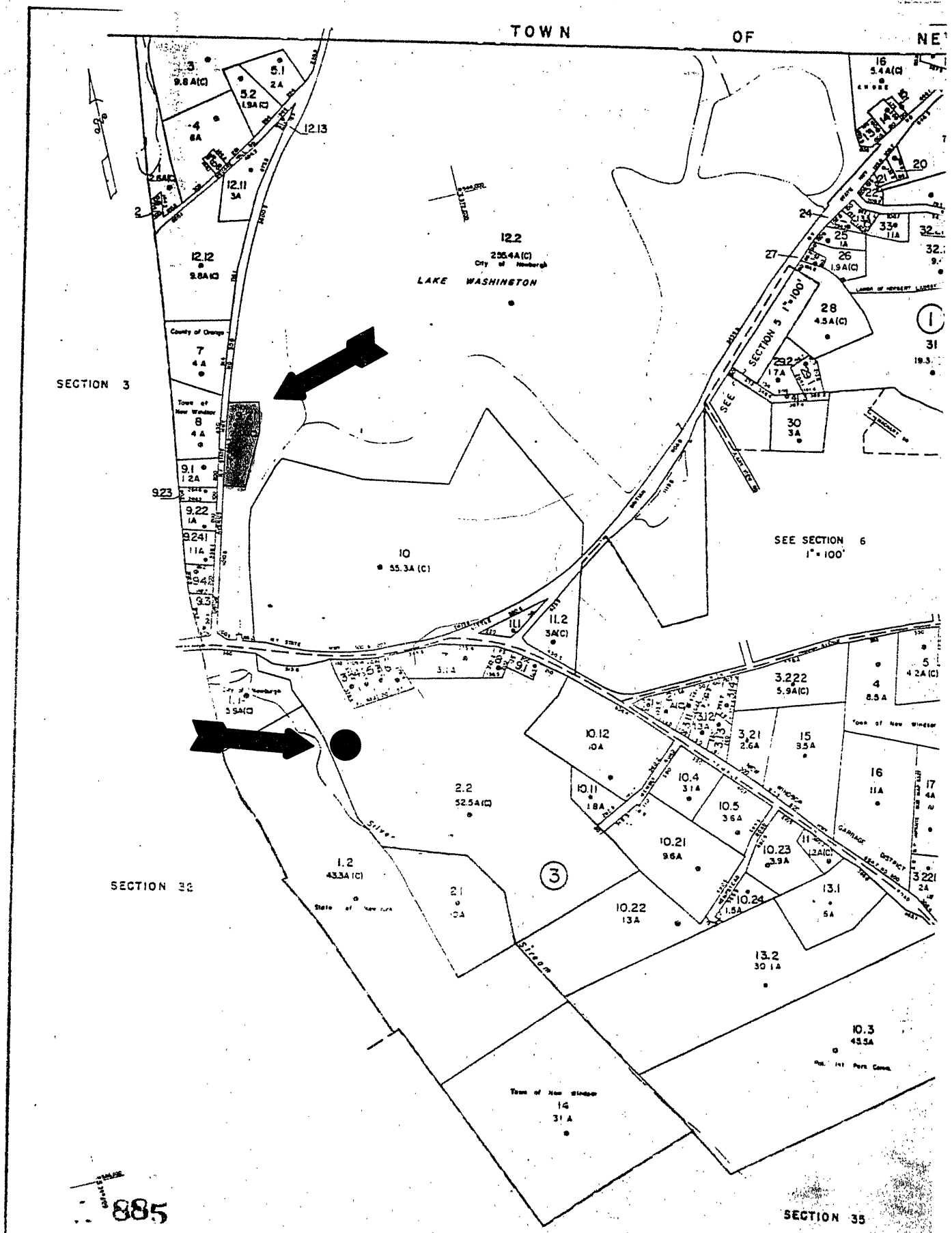
10-1-1977

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77 2:07  
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M. Winters







# Chamber of Commerce

72 Broadway, Newburgh, New York 12550 • (914) 562-5100

Incorporated

RAT 3/25/85.  
ZBA

March 25, 1985

Mr. Daniel Konkol, Chairman  
Town of New Windsor  
Zoning Board of Appeals  
555 Union Avenue  
New Windsor, New York 12550

SUBJECT: Variance of Zoning Ordinance  
New Windsor Health Club/Restaurant

Dear Dan:

We have been advised that an application has been made for the construction and development of a Health Club and Restaurant facility in the Gateway Industrial Park, a planned Industrial Zone.

It is well known that the Gateway Industrial Park has had little economic development activity in the last six or seven years. We believe that the proposed Health Club and Restaurant will help to attract other new businesses, as well as clients for office space.

We are very supportive of this project and on behalf of the Eastern Orange County Chamber of Commerce, we would like to recommend that you and the members of the Zoning Board of Appeals grant approval of the variance.

Sincerely yours,

John A. D'Ambrosio, Ed. D.  
Executive Vice President

  
Robert W. Grice  
Director of Economic  
Development

RWG/mbb

PUBLIC NOTICE OF HEARING BEFORE  
ZONING BOARD OF APPEALS  
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York will hold a Public Hearing pursuant to Section 48-34A of the Zoning Ordinance on the following proposition:

Appeal No. 14

Request of WILLIAM F. HELMER

for a VARIANCE ~~SPECIAL PERMIT~~ of  
the regulations of the Zoning Ordinance to  
permit construction of a health club facility with  
restaurant in a Planned Industrial zone  
being a VARIANCE ~~SPECIAL PERMIT~~ of  
Section 48-9 - Table of Use Regulations - Col. 1  
for property situated as follows:

Off south side of Route 207 on Executive Drive,  
Town of New Windsor, New York, known as tax map  
Section 4, Block 3 Lot 2.222.

SAID HEARING will take place on the 25th day of  
March, 1985, at the New Windsor Town Hall,  
555 Union Avenue, New Windsor, N. Y. beginning at  
7:30 o'clock P. M.

DANIEL P. KONKOL  
Chairman

Prelim. meeting:  
3/11/85.

TOWN OF NEW WINDSOR  
ORANGE COUNTY, N. Y.  
OFFICE OF ZONING - BUILDING INSPECTOR

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

File No. ....

Date March 8, 1985

Owner:  
To William F. Helmer  
27 Central Drive  
Stony Point, N.Y. 10980

Applicant - Development  
Orange Development Corp.  
RD #1, Box 137  
Montgomery, N.Y. 12549

PLEASE TAKE NOTICE that your application dated March 8, 1985  
for permit to Build a Health Club Restaurant  
at the premises located at off south side Rte 207 (Executive Drive)  
Sect 4, Block 3 Lot 2.202

is returned herewith and disapproved on the following grounds:

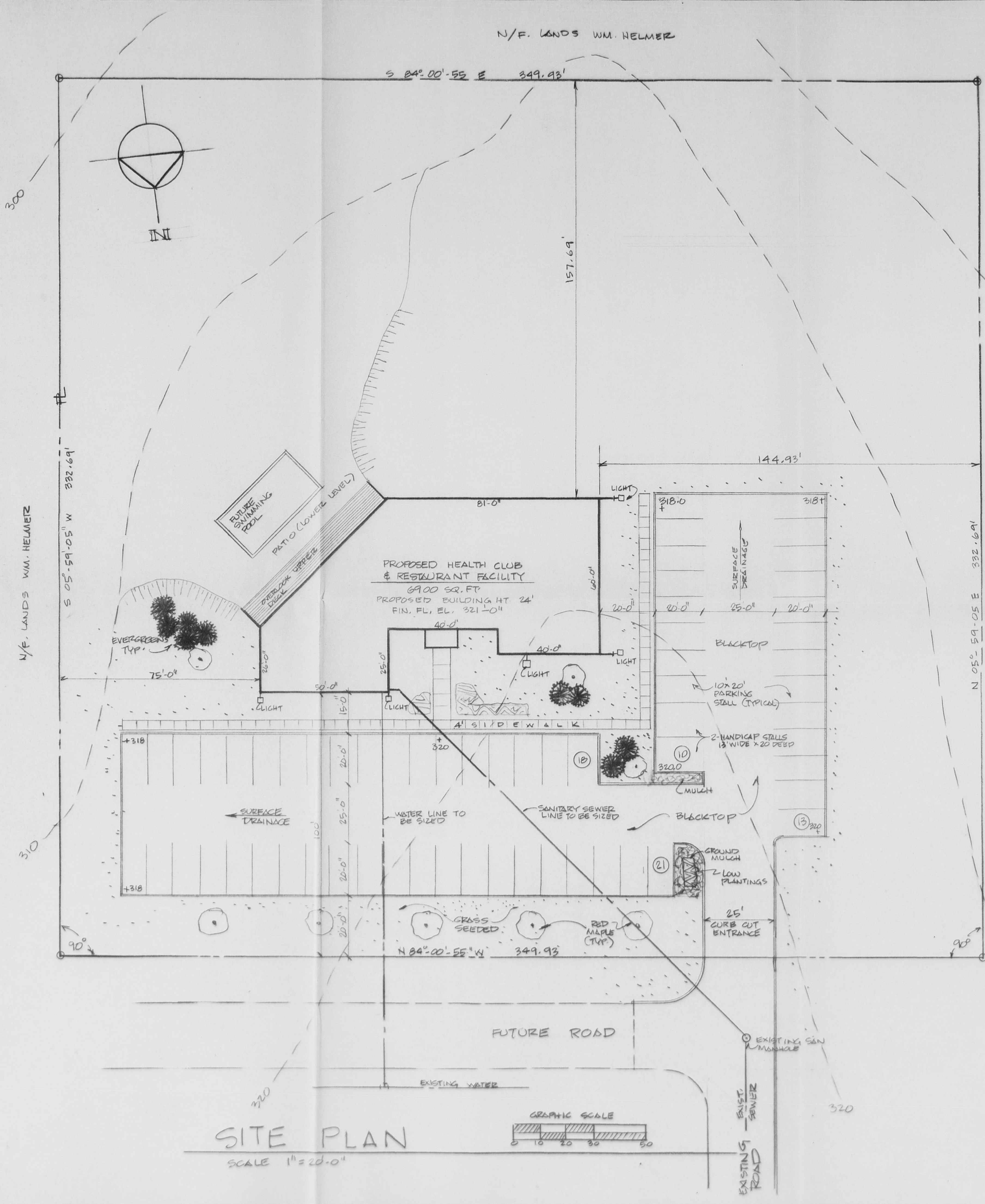
Lot is in a P.F. zone - proposed use is not a permitted  
use in this zone.

Site will be subject to  
site Plan and subdivision  
Approval from Planning Board

  
Building Inspector

\* Foreign Trade  
zone question





# KEY TO SYMBOLS

--- PROPERTY LINE

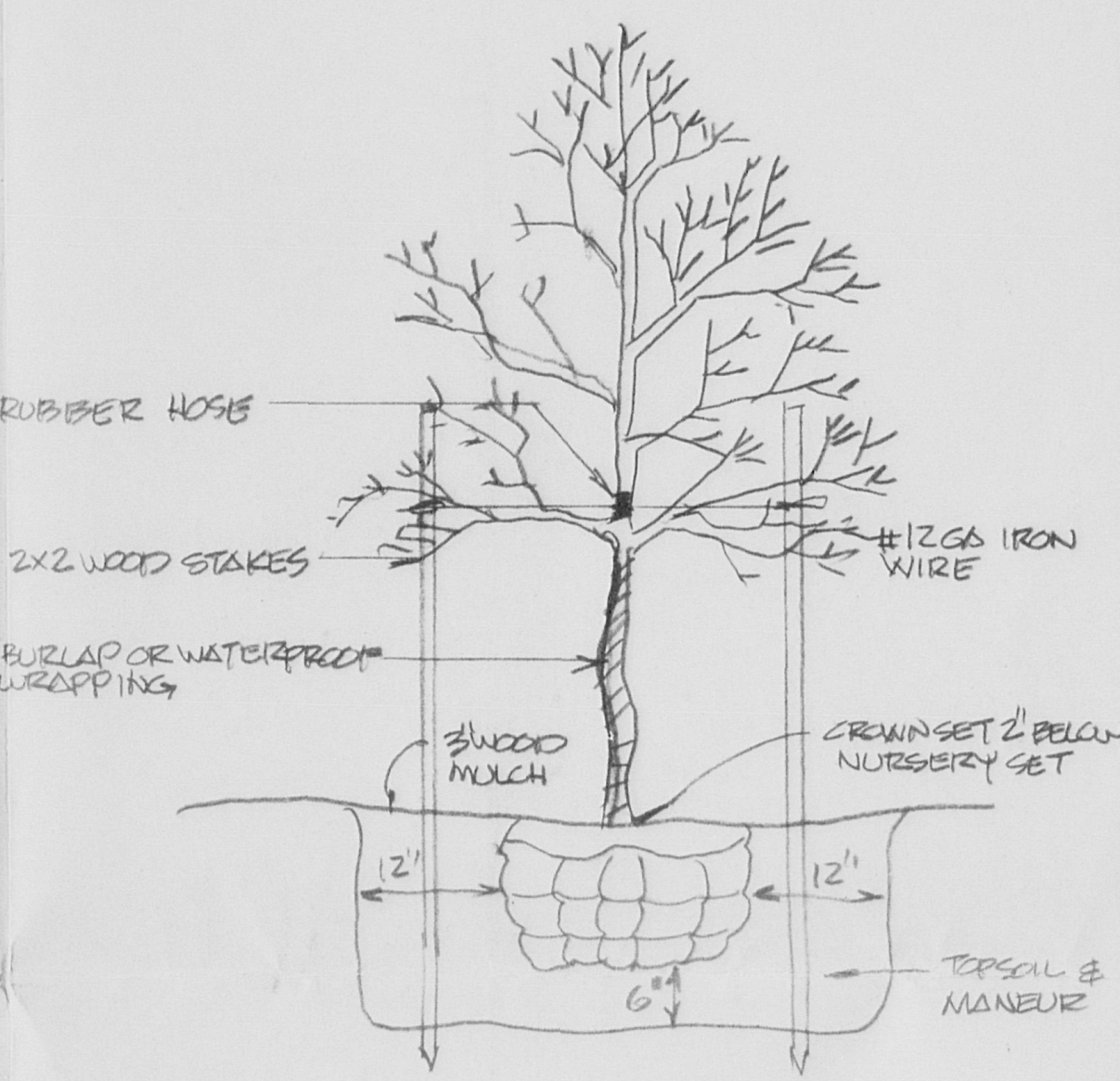
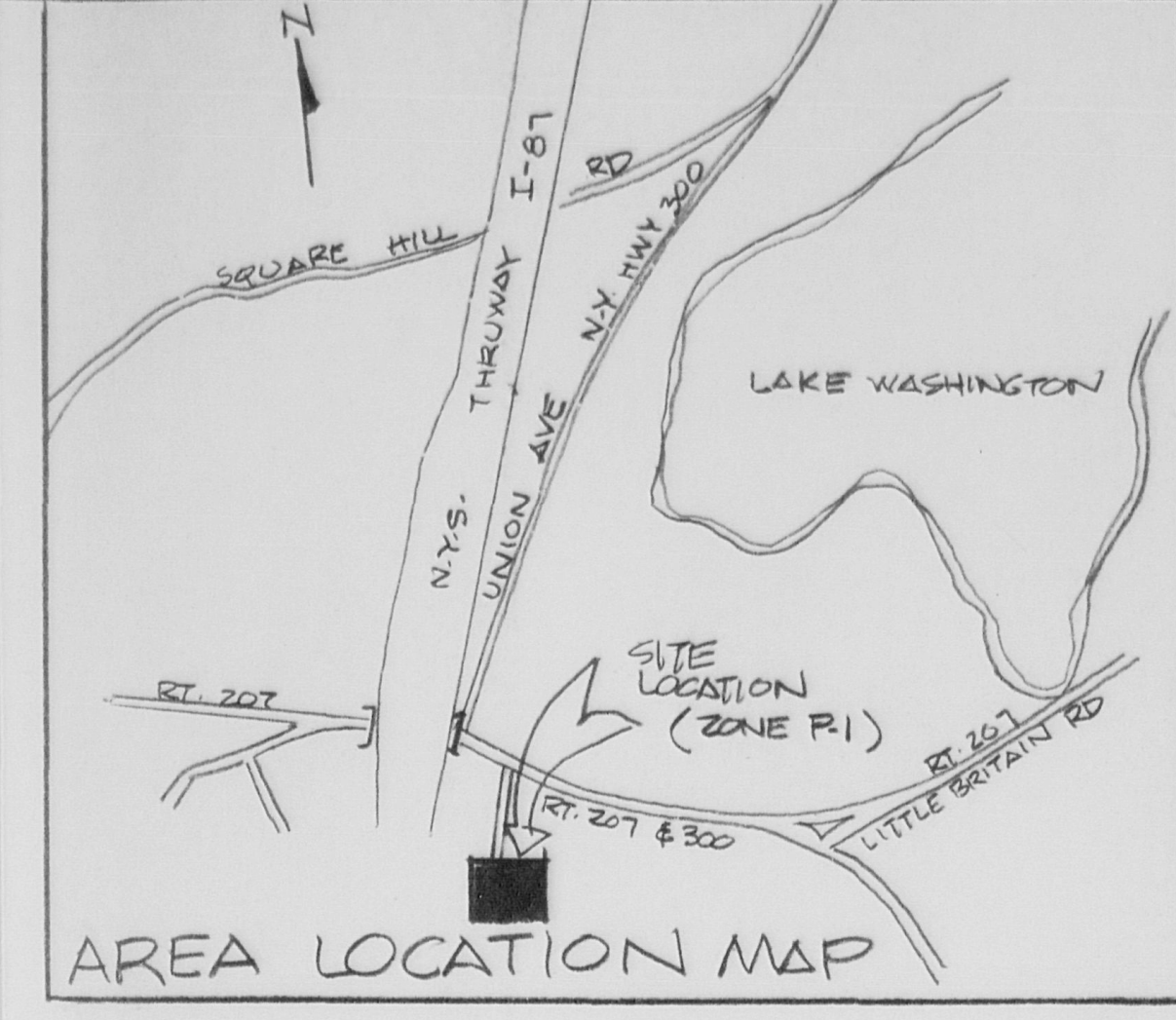
GROUND COVER  
LOW PLANTINGS  
JUNIPER, YEW, OR SIMILAR

250 WATT HIGH PRESSURE SODIUM - WALL MOUNT  
NOTE: EXTERIOR LIGHTING SHALL NOT SHINE OVER PROPERTY LINE  
YARD LIGHT  
NO SCALE

1" BLACKTOP WEARING COURSE  
1 1/2" BLACKTOP BINDER COURSE  
6" COMPACTED GRAVEL BASE  
PAVEMENT SECTION  
3/4" = 1'-0"

1" RADIUS  
PAVEMENT SURFACE  
FINAL GRADE  
1:2.3 MIX CONC.  
NOTE: 3/16" THK. CELLULOSE OR EQUAL EXPANSION JOINTS 20'-0" OC

CURB SECTION  
3/4" = 1'-0"



WHITE PINE, RED MAPLE OR SIMILAR  
EVERGREEN  
RED MAPLE OR OTHER DECIDUOUS  
GROUND WOOD MULCH

## SITE DATA:

TAX MAP REFERENCE	SECT. 4 BLK 3 LOT 2.2
ZONE - P.1.	(PLANNED INDUSTRIAL)
MINIMUM SITE AREA	40,000 SQ. FT.
MINIMUM LOT WIDTH	150 FT.
REQUIRED FRONT YARD	50 FT.
REQUIRED SIDE YARD / TOTAL BOTH SIDES	15/40
REQUIRED REAR YARD	20 FT.
FLOOR AREA RATIO (MAXIMUM)	.60
MAXIMUM BUILDING HT.	37'-6"
OWNER OF RECORD	WILLIAM F. HELMER STONEY POINT, N.Y.
SITE DEVELOPER	ORANGE DEVELOPMENT CORP. RD #1 BOX 137 MONTGOMERY, N.Y.
LAND AREA	2.07 ACRES 116,305 SQ. FT.
BUILDING FOOTPRINT AREA	6,900 SQ. FT.
LAND COVERAGE	6.90
PARKING SHOWN	42 CARS
PARKING REQ'D	42 (40 + 2 HANDICAP)
ANNUAL MEMBERSHIP CLUB	1 CAR / 15 MEMBERS = 300 / 15 = 20
RESTAURANT	1 CAR / 2 SEATS = 64 / 2 = 32
	REQUIRED 42

ARTHUR C. ANTHONISEN P.E.  
CONSULTING ENGINEER  
RD #1 BOX 137  
MONTGOMERY, N.Y.

RONALD F. DRAGO  
architect / planner  
RD #1 BOX 137A  
RD #1 BOX 208  
MONTGOMERY, N.Y. 12549

HEALTH CLUB & RESTAURANT FOR  
ORANGE DEVELOPMENT CORP.  
GATEWAY INT'L PARK NEW WINDY N.Y.  
JOB # 84-146  
DATE 3-25  
SCALE NOTED  
OWN BY RD

SHEET  
1  
OF 1